

WORKMAN NYDEGGER & SEELEY

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 533-9800

FACSIMILE (801) 328-1707

RICK D. NYDEGGER
DAVID O. SEELEY
BRENT P. LORIMER
THOMAS R. VUKSINICK
LARRY R. LAYCOCK
JONATHAN W. RICHARDS
DAVID R. WRIGHT
JOHN C. STRINGHAM
BRADLEY K. DESANDRO
JOHN M. GUYNN
CHARLES L. ROBERTS
GREGORY M. TAYLOR
DANA L. TANGREN
KEVIN B. LAURENCE
ERIC L. MASCHOFF
CHARLES J. VEVERKA
ROBYN L. PHILLIPS
RICHARD C. GILMORE†
DAVID B. DELLENBACH

KEVIN K. JOHANSON
L. DAVID GRIFFIN
R. BURNS ISRAELSEN
DAVID R. TODD
FRASER D. ROY
CARL T. REED
JESÚS JUANÓS I TIMONEDA, Ph.D.
R. PARRISH FREEMAN, Jr.
PETER F. MALEN, Jr.
ADRIAN J. LEE
KYLE H. FLINDT
DAVID B. TINGEY
L. REX SEARS

†ADMITTED ONLY IN CALIFORNIA

H. ROSS WORKMAN
OF COUNSEL

PATENT

TRADEMARK

COPYRIGHT

TRADE SECRETS

UNFAIR COMPETITION

LICENSING

COMPLEX LITIGATION

MAILING ADDRESS:

P.O. BOX 45862

SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnspat.com>

GENERAL E-MAIL: info@wnspat.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson et al.

Serial No.:

09/641,627

Filed:

August 18, 2000

For:

SYSTEM FOR INTERACTION WITH
EXERCISE DEVICE

} Art Unit
} 3764

BOX: MISSING PARTS

Assistant Commissioner for Patents

Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

In response to the Notice to File Missing Parts of Application mailed October 12, 2000, please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- ☒ A joint signature Declaration, Power of Attorney and Petition executed by Scott R. Watterson, William T. Dalebout and Darren C. Ashby and comprising 3 (three) pages.
- ☒ An Assignment conveying the invention to Icon Health and Fitness, Inc., including a Form PTO-1595 recordation cover sheet comprising 6 (six) pages.
- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted.
- ☒ Priority to United States Patent Application Serial Nos. 09/349,608 filed on July 8, 1999 and 09/496,560 filed February 2, 2000 is claimed under 35 U.S.C. § 120.

- ☐ Priority to _____ (country) Application Serial No. 09/641,627 filed on August 18, 2000 is claimed under 35 U.S.C. § 119.
- ☐ A certified copy of the above priority application is filed in prior application Serial No. 09/641,627, filed August 18, 2000.

The filing fee has been calculated as shown below.

			SMALL ENTITY		LARGE ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE(x)	FEE	RATE(x)	FEE
BASIC FEE				\$345.00		\$710.00
TOT. CLAIMS	84 - 20	64	\$9.00	\$576.00	\$18.00	\$1152.00
IND. CLAIMS	5 - 3	2	\$40.00	\$80.00	\$80.00	\$160.00
MULTIPLE DEPENDENT CLAIM		0	\$135.00	\$0.00	\$270.00	\$0.00
			TOTAL	\$ 0.00	TOTAL	\$2,022.00

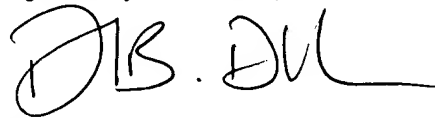
- ☒ Check No. 118915 in the amount of \$2,192.00 is enclosed to cover.
- ☒ The \$2,022.00 government filing fee.
- ☒ The \$ 40.00 recordation fee of the enclosed assignment
- ☒ The \$ 130.00 surcharge fee pursuant to 37 C.F.R. § 1.16(e).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3178.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.
- ☐ The issue fee set forth in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

- ☒ A Certificate of Express Mailing by use of Express Mail Label No. EL 661 549 217 US
- ☐ An Associate Power of Attorney.
- ☒ A duplicate copy of this letter.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 11th day of December, 2000.

Respectfully submitted,



David B. Dellenbach
Attorney for Applicant
Registration No. 39,166

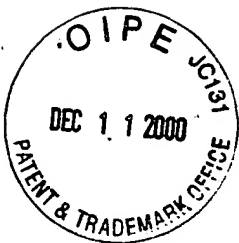


022913

PATENT TRADEMARK OFFICE

DBD:em

G:\DATA\WPDOCS3\EMM\DBD\LETTERS\TRX\13914-579-1 B08.doc



12-12-00

SECTOR 4

PATENT APPLICATION

Docket No. 13914.579.1 #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson et al.

Serial No.:

09/641,627

Filed:

August 18, 2000

For:

SYSTEM FOR INTERACTION WITH
EXERCISE DEVICE

)
) Art Unit
) 3764
)
)
)

Express Mail Label No. EL 661 549 217 US

Date of Deposit: December 11th, 2000.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to: BOX: MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231:

- Declaration, Power of Attorney and Petition (3 (three) pp.)
- An Assignment (6 (six) pp.)
- A copy of the Notice to File Missing Parts of Application - Filing Date Granted
- Transmittal Letter (3 pages)
- Check No. 118915 for \$2,192.00
- Certificate of Express Mailing Label No. EL 661 549 217 US
- Postcard

Dated this 11th day of December, 2000.

Respectfully submitted,

Emily Meacham, Assistant to
David B. Dellenbach
Attorney for Applicant
Registration No. 39,166



022913

PATENT TRADEMARK OFFICE

DBD:em

G:\DATA\WPDOCS3\EMM\DBD\LETTERS\TRX\13914-579-1 B08.doc



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/641,627	08/18/2000	Scott R. Watterson	13914.579.1

022913

WORKMAN NYDEGGER & SEELEY
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UT 84111

FORMALITIES LETTER



OC000000005468191

By SS DOCKETED ON 10-18-00
RESPONSE DUE 12-17-00

Date Mailed: 10/12/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1604

01 FC:103	36.00 CH
02 FC:104	270.00 CH

 - \$1188 for 66 total claims over 20.
 - \$156 for 2 independent claims over 3.
 - \$260 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2424.

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

12/14/2000 HUONG1 00000101 09641627
02 FC:101 710.00 OP
03 FC:105 130.00 OP
04 FC:102 160.00 OP
05 FC:103 1152.00 OP
10/12/00

PART 2 - COPY TO BE RETURNED WITH RESPONSE